

United States District Court

WESTERN DISTRICT OF WASHINGTON

JAMES A. GARDIN

JUDGMENT IN A CIVIL CASE

v.

OFFICER MAHN

CASE NUMBER: C09-5116RJB/JRC

___ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

The Court adopts the Report and Recommendation; and

This action is dismissed WITH PREJUDICE as the force used by the defendant was used to restore order and did not violate the cruel and unusual punishment clause of the Eighth Amendment.

August 11, 2010
Date

BRUCE RIFKIN
Clerk

s/CM Gonzalez
Deputy Clerk